

## The Environment, Climate Change and Land Reform Committee

### Green recovery

#### Submission From Fisheries Management Scotland

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Fisheries Management Scotland is the representative body for the District Salmon Fishery Boards, the River Tweed Commission and the Rivers and Fisheries Trusts in Scotland. We work to promote and ensure the best, evidence-based fisheries management for the conservation of Scotland's wild salmon and native freshwater fish, and the protection, improvement and development of their fisheries and the environment on which they depend. District Salmon Fishery Boards have a statutory responsibility to protect and improve salmon and sea trout fisheries in their district. Rivers and Fisheries Trusts and independent charities with objectives extending to all fish species and the wider aquatic environment.

**The Committee would particularly welcome views on the following questions–**

**Do the principles of sustainable development (as set out in the annexe), and those for a resilient recovery, as proposed by the UK Committee on Climate Change, provide a comprehensive framework for guiding an effective green recovery in Scotland?**

We welcome the sustainable development principles as set out in the annex and it is important to emphasise the hierarchy set out in the diagram. These guiding principles were included in the UK Sustainable Development Strategy in 2005, which stated that for a policy to be sustainable it must respect all five of these principles, and importantly, the guiding principles make clear that the goals of sustainable development are *living within environmental limits* and *ensuring a strong, healthy and just society*. These goals should be achieved by means of a sustainable economy, good governance and sound science. This is quite different from the way in which sustainable development is sometimes interpreted in Scotland.

In our view, reference to *sustainable economic growth* in Scottish legislation (for example the Regulatory Reform (Scotland) Act 2014) has muddied the waters. Placing regulators, such as SEPA and SNH, under a duty in respect of sustainable economic growth has, in our view, been a retrograde step, and we believe that the sole focus of such organisations should be on environmental protection. As highlighted below, maintaining and enforcing environmental standards is fundamental to the green recovery and we believe that more emphasis needs to be placed on the enforcement of existing environmental law to prevent existing and potential resilience in the natural environment from being undermined.

Atlantic salmon and native freshwater species are iconic species that faces a range of pressures, including a number directly related to climate change. We therefore support the focus on climate mitigation and the principles set out by the UK Committee on Climate Change. However, Scotland's wildlife also faces a biodiversity crisis, and it is vital that actions taken to mitigate climate change do not exacerbate current issues affecting Scotland's biodiversity. We therefore warmly welcome the references to tree planting (subject to our comments below) and peatland restoration in the UK Committee on Climate Change letter to Roseanna Cunningham. However, further work is required to ensure that current and proposed developments do not undermine improvements that are being delivered elsewhere and we again emphasise the importance of compliance within existing regulatory frameworks which must be consistently applied.

### **What are the key barriers to delivering a green recovery (within your sector and / or community)?**

As highlighted above, populations of Atlantic salmon across their native range are approaching crisis point. This critical situation has been recognised by the Scottish Government and the programme for government includes a commitment to develop a wild salmon strategy by September 2020. However, it is important to recognise that a wide range of aquatic species including sea trout, European eels, freshwater pearl mussels and a range of aquatic insects are also struggling, as part of the wider biodiversity crisis. In the case of Atlantic salmon, Marine Scotland, in partnership with Fisheries Management Scotland members have identified 12 high level groups of pressures which salmon face, many of which are relevant to the aquatic environment more generally. In delivering a green recovery, it is important to address these pressures as part of a holistic and fully coordinated approach is taken to protecting our rivers at a catchment scale. An example of how this approach could work, is set out in Dieter Helm's Book – Green and Prosperous Land, a blueprint for rescuing the British countryside. Dieter Helm, Oxford economist and Natural Capital Committee chair, identified the following steps in relation to restoring rivers:

- Protect and enhance peatland and upper river catchments;
- Keep farm pollution and soil from entering rivers;
- Reduce phosphorus, pharmaceutical and other emissions from water treatment works;
- Stop storm overflows from discharging raw sewage into rivers;
- Manage abstraction more effectively and address leakage;
- Stop industrial pollution entering rivers and limit surface run-off; and
- Bring the measures required to address the above issues together into a coordinated framework on a river-catchment scale.

In order to deliver a green recovery a far greater degree of joined up thinking and coordination is required, across government, agencies and external stakeholders than is currently the case. More detail on some of these priorities is included below.

Finally, we need to recognise the value of rivers as ecological networks which not only support a range of species but are critical to supporting many industries and services. Improvements to in stream and riparian habitats, and the relationships with land use set out above, need to be central in the decision making process to ensure resilience as an integral part of the green recovery.

### **What key policies, actions and immediate priorities are needed to deliver a green recovery (within your sector and / or community)?**

We recently responded to the committee call for evidence on the UK Withdrawal from The European Union (Continuity) (Scotland) Bill, in which we highlighted the importance of strong environmental regulation and maintaining environmental principles after the exit from the EU. We consider that maintaining and improving environmental standards is dependent on ensuring that environmental law is robustly enforced to a greater degree than is currently the case. The green recovery should reward operators who take their environmental responsibilities seriously and conform with the current environmental standards, and there must be robust consequences for operators who fall below these standards.

As highlighted above, it is vital that actions taken to mitigate climate change do not exacerbate current issues affecting Scotland's biodiversity. Whilst we recognise that green energy has an important role to play in reducing our carbon emissions, such developments must be held to high environmental standards, particularly in relation to offshore developments and hydro schemes installed on existing in-river barriers.

There are many opportunities to place the aquatic environment at the heart of a green recovery which would provide multiple benefits for aquatic species and communities. We have highlighted two examples relating to land use below.

With regard to the aquatic environment, and in particular upper catchments, we welcome the references to tree planting and peatland restoration in the UK Committee on Climate Change letter to Roseanna Cunningham. Planting of native woodland in the riparian zone has many benefits for wild fish which include:

- Providing shade which helps to reduce extremes of water temperature that can be damaging to freshwater life
- Falling twigs, leaves and insects provide an important source of food to aquatic species
- Fallen logs and branches can form in-stream structures that help to enrich freshwater habitats and slow down flood flows, reducing erosion and alleviate widening of the channel by stabilising banks
- Improving water quality as trees, ground vegetation and surface roots can trap sediment to remove nutrients and other pollutants in water draining from adjacent land
- Slowing run-off through improved infiltration rates, contributing to flood management

Benefits extend to the wider environment by enhancing biodiversity, linking habitats and storing carbon. Fisheries Management Scotland members have already undertaken extensive tree planting in upper catchments, but this work could be significantly enhanced if relatively simple changes in administration of the Forestry Grant Scheme (FGS) and the Agri-Environment Climate Scheme (AECS) were made. A critical barrier to taking forward conservation woodland planting, is that the forestry grant mechanisms are geared towards block planting schemes. We are strongly of the view that funding mechanisms must be

designed to better reflect Scotland's priorities for environmental improvement and restoration. Specifically, there is an urgent need to make the grant scheme available to small-scale riparian planting schemes – perversely, such initiatives are effectively penalised at the moment. As part of addressing this current imbalance, we would advocate that the outputs of the Scottish Rivers Temperature Monitoring Network, are specifically included in forestry grant decision making. Applications which would demonstrably contribute to preventing riverbank erosion and reducing thermal stress on the flora and fauna living in the water should be scored higher in the decision-making process. Due to the challenging locations for riparian planting, such as remoteness and difficult planting terrain, the grant system should reflect that delivery against all of the policy drivers listed above may require a proportionately higher level of financial support.

Restoration of historical damage caused by large-scale commercial forestry should be a key role of Scottish Forestry. The improved standards associated with felling and replanting have promoted recovery in some afforested areas and led to environmental improvements. However, it is important to emphasise that in some parts of Scotland, more needs to be done. Some examples of such restoration work are detailed below:

- liming of currently acidified water courses;
- extending (where necessary) existing riparian buffer zones, and removal of natural regeneration of non-native conifers (whatever the tree diameter) present in riparian buffer zones;
- Ensuring that drainage schemes for roads and culverts do not impede or exclude fish from accessing habitat;
- We also have significant concerns about the continuing practice of replanting conifers on deep peats after tree felling. Currently, new conifer planting schemes are not permitted on peat deeper than 50cm – we believe that this should be extended to replanting on deep peats.

Rural grant schemes should reflect the long-term multiple benefits to be derived from careful, balanced upland management which necessarily should be consistent with peatland restoration projects. It is crucial that tree-planting efforts to mitigate climate change through non-native species and commercial block planting, do not exacerbate the current biodiversity crisis.

We note the announcement earlier this week that actions for an economic recovery should include an exploration of options to alleviate planning restraints, build capacity and deal more quickly with complex applications. Whilst we do not object to this principle, it is crucial that this approach is consistent with a green recovery and that robust safeguards to protect the environment are an integral part of the planning process in future.

In Scotland, agricultural food production covers a significant proportion of the land area and has a significant influence on environmental quality. Farming practices that work with our natural environment can protect nature and help to build environmental resilience and should be encouraged and supported through agri-environment schemes. However, production and harvesting practices can also have direct negative impacts on biodiversity, for example disruption of habitats through drainage or poor soil management. It is important that agri-environment schemes are reformed to support the production of good quality, nutritious food in a way that enhances biodiversity and conserves and restores the natural resources on which production is based. As an example, and consistent with the joined-up approach highlighted above, it is crucial that the Good Agricultural and Environmental Conditions

(GAECs) are properly aligned with the General Binding Rules (GBRs) administered by SEPA. Breaches of these rules, which are designed to protect our rivers against pollution, should have associated consequences through the rural payments system, in order that best practice is rewarded, but poor practice, which is too often apparent in Scotland, is not.

Fisheries Management Scotland has a membership of organisations that have a track record of delivering evidence-based improvements, in partnership with government and agencies. We would welcome the opportunity to play a key role in the delivery of the green recovery.